IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No. 1492 OF 2007

Office Notes, Office Memorandum of Coram appearances, Court's orders or directions and Registrar's orders :	:	Court's or Judge's orders

Mr. Rajendra Rathod, advocate for the petitioner.

Mrs. A. S. Pai, APP for the respondent No. 1.

Mr. P. P. Runwal, advocate for the respondent No.2.

CORAM : R.M.S. KHANDEPARKAR
AND
Mrs. V.K. TAHILRAMANI, JJ.

DATE : OCTOBER 3, 2007.

P.C.

. Heard advocates for the parties. The affidavit filed by respondent No.2 is taken on record. By the present petition, petitioner is seeking to quash FIR No. 288 of 2005, registered on 8th September 2005, with N. M. Joshi Joshi Marg Police Station against the petitioner by the respondent No.2. Considering the facts disclosed in the affidavit in reply, filed by the respondent

No.2 and upon hearing the advocates for the parties, it is clear that no purpose would be served in continuing with the matter, initiated under the impugned FIR, as rightly argued by the learned advocates for the parties and therefore, it is appropriate to quash the impugned FIR as well as all further proceedings arisen out of said FIR, including the charge sheet in relation to investigation carried out in view of the FIR, and the proceedings in the Court of learned Magistrate, in that regard. Accordingly, the petition is allowed and the impugned FIR along with subsequent proceedings, including charge sheet filed in case C.C. No. 426/PW/2006 on the file of the learned 29th Metropolitan Magistrate Court at Dadar, are hereby quashed. Petition is accordingly disposed of, with no orders as to costs.

Sd/-
[R.M.S. KHANDEPARKAR, J.]

Sd/-
[Smt. V. K. TAHILRAMANI,J.]